

## **AGENDA**

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**MARCH 28, 2005  
5:30 P.M. (EST)**

**1. INVOCATION  
ROLL CALL  
MINUTES**

Rev. Jana Hall, First Presbyterian Church

February 1, 2005 Special Meeting; February 1, 2005 Special Work Session; February 3, 2005 Special Meeting; February 14, 2005 Special Work Session; February 17, 2005, Special Work Session; March 8, 2005, Special Meeting; March 14, 2005 Special Meeting.

### **MAYOR'S REPORT**

## **2 CEREMONIAL ITEMS**

### **2.1 Employee Recognition**

Background: The Board of Commissioners traditionally recognizes City employees who are retiring or who are being promoted within the various City departments. At this meeting, the following individuals will be in attendance:

Fire Department: Ryan Fischer for promotion to rank of Sergeant

2.2 Certificate of Appreciation – Tom Fitzgerald, having served voluntary as Pharmacist for Frankfort EMS for 4 years.

2.3 Proclamation declaring April 2005 Child Abuse Prevention Month – Debbie DeMers, Safe Place Coordinator

## **3 ORDINANCES**

3.1 **FIRST READING:** An Ordinance rezoning property located at Tract B, located at the intersection of U. S. Highway 60 and Meadow View Drive, from RL (Low Density Multi-Family Residential) to CL (Limited Commercial).

Purpose: Approval of the recommendation of approval by the Frankfort/Franklin County Planning Commission concerning a zone map amendment by attorney Clay Patrick, on behalf of Sonya B. Williams, who is requesting approval of a Zone Map Amendment (Rezoning) for a subject site being Tract B at the southwest corner of the intersection of US 60 and Meadow View Drive, with the parcel map number of 049-20-05-004.00, containing approximately 1.81 acres, for the use of limited retail.

Background: KRS requires that a public hearing be held by the Planning Commission, and that the Planning Commission's recommendation be forwarded to the Local Government (City Commission) for final approval or denial.

Should the City Commission desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City

Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact.

On February 10, 2005, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed and the Planning Commission adopted the staff report as the summary of testimony, approved the staff findings within the report as the findings of facts, and voted to recommend approval of the zone change based on the findings of fact (staff report). The motion to recommend approval of the zone map amendment as requested by the applicant was passed by a vote of 9-0, based on the staff findings of fact within the report and that the request is consistent with the adopted Comprehensive Plan.

Recommendation: Approval

Attachments: Ordinance  
Adopted Findings of Fact (staff report)  
Summary of testimony  
Staff report, reviewed by the Frankfort/Franklin County Planning Commission.

Contact Person

Name: Gary Muller  
Title: Director of Planning and Building Codes  
Department: Planning and Building Codes  
Phone: (502) 352-2100  
E-mail: Gmuller@fewpb.com

3.2 **First Reading:** An Ordinance to Amend Frankfort's Zoning Ordinance, that being Ordinance No. 8, 1983 series, Article 2, Section 2.115; Article 5 in its entirety; and Article 8, Sections 8.40, 8.401, 8.402, 8.403, and 8.404.

Purpose: To amend the City's Zoning Ordinance to remove the inconsistencies related to the adopted Subdivision and Site Plan Regulations as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee.

Background: On November 20, 2003 the Subdivision and Site plan regulations were adopted. After several public work shops with the Subdivision Update Committee and Zoning Update Committee – amendments were recommended to be made to the Subdivision and Site Plan Regulations as well as the Zoning Ordinance in order to remove the inconsistencies.

Attached are the text amendments for the City's Zoning Ordinance to make consistent with the Subdivision and Development Plan Regulations with strikeout for language to be deleted and underline text for language that is new. The county has adopted this same amendment earlier this year.

On November 18, 2004, the Frankfort/Franklin County Planning Commission held a public hearing and took testimony concerning the attached ordinance amendments, then closed the public testimony and tabled the item to allow for the summary to be prepared.

On December 9, 2004, the Frankfort/Franklin County Planning Commission removed the item from the table, held discussions and made the following motion:

- To approve the attached zoning ordinance amendments and recommend the City and County agencies to approve the proposed text amendments. (Motion passed by a unanimous vote of 8-0)

Recommendation: Approval

Attachments:

- Ordinance
- Adopted summary and minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission.
- Planning Commission report dated November 9, 2004.
- Proposed text amendment

Contact Person

Name: Gary Muller  
Title: Planning and Building Codes Director  
Department: Planning  
Phone: 875-8513  
Email: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

#### 4. ORDERS

- 4.1 An Order amending Order No. 4, 2003 Series relating to procedures for meetings of the Frankfort Board of Commissioners.

Purpose: To amend Order No. 4, 2003 Series relating to procedures for meetings of the Frankfort Board of Commissioners.

Background: The Board of Commissioners established a meeting schedule by ordinance on 2-3-05. In conjunction with this action, changes in the meeting schedule require corresponding modifications in the rules of procedure. This Order establishes deadlines for submission of agenda items and completion of meeting agendas.

Recommendation: Approval

Attachments: Order

Contact Person:

Name: Ramona Newman  
Title: City Clerk  
Department: City Manager  
Phone: 502/875-8500  
E-mail: [rnewman@fewpb.com](mailto:rnewman@fewpb.com)

#### 5. RESOLUTIONS

None

#### 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

- 6.1 To consider authorizing a contract with Integra Realty Resources for appraisal services (Finance Department).

Purpose: To enter into a contract with Integra Realty Service for appraisal services.

Background: Integra Realty has previously performed appraisal services for the City. Properties included are the Carter property, Leonardwood Drive, Library property at 305 Wapping Street, and the Hurst/Fincel properties. This new agreement is to update the appraisal of Lot 2, Leonardwood Drive, and the work done to value lots in the Carpenter Farm. Fees are \$2,000 for the Leonardwood appraisal update, and \$2,850 for the Carpenter Farm property. .

Financial Analysis: Funds are not included in the current budget. Payment will be made from Reserve for Contingency Account No. 95-53295

Recommendation: Approval

Attachments: Contract

Contact Person:

Name:	James C. Rogers	Rob Moore
Title:	Director of Finance	City Solicitor
Phone:	502/875-8505	502/227-2271
E-Mail:	<a href="mailto:Jrogers@fewpb.com">Jrogers@fewpb.com</a>	<a href="mailto:rmoore@hazelcox.com">rmoore@hazelcox.com</a>

- 6.2 To consider authorizing contract awards for pool chemicals for the 2005 swimming season. (Parks and Recreation).

Purpose: To consider authorizing contract awards for pool chemicals for the 2005 swimming season.

Background: On January 23, 2005, the Parks and Recreation Department mailed out an Invitation For Bid for pool chemicals for the 2005 swimming season, to seven potential bidders. Three bids were received and were opened at 2:00 p.m. on February 17, 2005 at the Juniper Hill Park office.

Financial analysis: The anticipated cost for pool chemicals is \$17,500 annually, half of which is budgeted in Division 82 this fiscal year (Account No. 100.82.54335) ending June 30, 2005, and the rest of this contract in July and August.

The following low bids for the pool chemicals were submitted:

- 1) Item #1 – Calcium Hypo Chlorite Tablets  
Swim Pro Supply – Lexington, KY \$95.50/55 Gal. Drum (150 drums)
- 2) Item #3 – 15 Gal. Drum of 20 Deg. Muriatic Acid  
Emsco - Lexington, KY \$28.10/15 Gal. Drum (4 drums)
- 3) Item #2 – 55 Gal. Drum of 20 Deg. Muriatic Acid  
Ulrich Chemical - Lexington, KY \$100.98/55 Gal. Drum (6 drums)
- 4) Item #4 – Cynauric Acid  
Ulrich Chemical – Lexington, KY \$36.00/25 Lb. Drum (40 drums)

Recommendation: Approval

Attachments: Bid Tab

Contact Person:  
Name: Steve Brooks  
Title: Director  
Department: Parks & Recreation  
Phone: 875-8575  
E-Mail: [Sbrooks@fewpb.com](mailto:Sbrooks@fewpb.com)

- 6.3 To consider authorizing approval of a General Utility Agreement with the Commonwealth of Kentucky Transportation Cabinet for the Acquisition of Easements. (Sewer Department).

Purpose: The purpose of this item is to consider approval of a General Utility Agreement with the Kentucky Transportation Cabinet for the acquisition of easements associated with the relocation of sanitary sewers along the US 421 corridor.

Background: In late 2002, the Frankfort Sewer Department began discussions with the Kentucky Transportation Cabinet concerning relocation of our sanitary sewers along US 421 to accommodate proposed construction associated with widening of the road. This included a contract to reimburse the Sewer Department for engineering fees associated with the design of the relocated utilities.

Acquisition of easements is the next phase in the project. This Agreement will authorize the Kentucky Transportation Cabinet to acquire all easements necessary for the relocation of sanitary sewers affected by the road widening. Based upon the plans prepared by the Transportation Cabinet, a total of six (6) lots have been identified for easement acquisition. The Transportation Cabinet shall bear the entire cost of obtaining the required easements. All costs incurred by the City of Frankfort in relocating the sewers shall be paid by the Transportation Cabinet pursuant to the terms of a future agreement between the Cabinet and the City.

Recommendation: Approval

Attachments: Agreement with the Kentucky Transportation Cabinet

Contact Person  
Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.4 Authorization to consider disposition of Delinquent Ad Valorem Property Tax and Ambulance Service Bills for the year 2004 (Finance Department).

Purpose: The purpose of this item is to authorize collection of delinquent 2004 Ad Valorem Property Tax Bills and Ambulance Service Bills through Kentucky Accounts Service in Lexington, Kentucky.

Background: Firm has been collecting the delinquent accounts for several years. A current insurance certificate for the agency is on file.

Financial Analysis: Fee for Kentucky Accounts Service is 30%.

Recommendation: Approval

Attachments: None

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 352-2083  
E-Mail: [jrogers@fewpb.com](mailto:jrogers@fewpb.com)

6.5 Authorization to consider purchase of Pursuit Vehicles (Police Department).

Purpose: The purpose of this item is to receive authorization to purchase eleven (11) police pursuit vehicles and one (1) Street Appearance Package vehicle.

Background: This is an annual purchase that is necessary to maintain the operational integrity of the Department's vehicle fleet. The purchase will be made under State Contract Master Agreement #C-04534210 at the contract price of \$19,985 for each pursuit vehicle and \$19,960 for the Street Appearance Package (this includes preparation and delivery) for a total purchase price of \$239,795. These units are to be purchased from Country Side Motors, Lawrenceburg, KY.

Financial Analysis: Funding is available in the equipment account 100.43.56550 in the amount of \$229,000. Also available is an insurance adjustment in the amount of \$13,803 received in December 2004 (credited to 100.43.56550) for a cruiser totaled in an accident. Therefore the total funding available for cruisers is \$242,803.

Recommendation: Approval

Attachments: Catalog Master Agreement Number C-04534210

Contact Person

Name: Walter M. Wilhoite  
Title: Chief of Police  
Department: Police  
Phone: (502) 875-8523  
E-Mail: [mwilhoite@fewpb.com](mailto:mwilhoite@fewpb.com)

6.6 Authorization to consider awarding a contract to Sani Tech Services to perform preventative maintenance cleaning of selected sewers within the Department's system. (Sewer Department)

Purpose: The purpose of this item is to award a contract to Sani Tech Services to perform cleaning of sanitary and combined sewers. This contract will utilize hourly rates established under a Master Agreement between Sani Tech Services and the Commonwealth of Kentucky. The contract rate is \$183.75 per hour and includes a VAC truck and two operators. In addition, Public Works will utilize this contract to clean catch basins.

Background: Due to the ongoing requirements of responding to daily calls, the Sewer Department has been unable to establish an effective preventative maintenance program for the collection system. This contract will enable the Department to begin a preventative maintenance program utilizing a contract vendor. Once the preventative maintenance program is established and functioning, it is projected that the Department's number of trouble calls and the number of

overflows should decrease. If it is determined that this approach is working, additional funds are available to continue with contract preventative maintenance.

Financial Analysis: This is an hourly contract with an upset limit of \$25,000. Based upon the unit rates and an estimated daily cleaning rate, it is projected that approximately 15 miles of sewer will be cleaned under this contract. Funding is available from Sewer Account 300.68.56550. There is an additional \$10,000 that will fund catch basin cleaning for Public Works, for a total funding amount of \$35,000. Funding for this is available in Account 100.62.53295 (Other Services).

Recommendation: Approval

Attachments: Master Agreement between Sani Tech Services and the Commonwealth of Kentucky.

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.7 Authorization to consider rejecting street sweeper bids and consider contracting a portion of the City's street sweeping responsibilities (Public Works Department).

Purpose: The purpose of this item is to reject the two street sweeper bids and consider contracting a portion of the city's street sweeping responsibilities.

Background: The Street Division requires a new street sweeper to replace a 1995 CF700 Tymco Sweeper with over 100,000 miles. Two bids were received on 1/20/05 ranging from \$123,205 to \$123,275. After the bid opening, the city was approached by Sweeping Corporation of America to consider contacting out a portion of the city's street sweeping responsibilities.

The city currently owns two older model street sweepers that clean approximately 115 city street miles. Sweeping Corporation of America has offered to sweep the curbed street sections outside the downtown area (consisting of 34 miles) using bid prices established through the Commonwealth of Kentucky's state price contract M03049977 for street sweeping services. Under this scenario, the city would continue sweeping the downtown area and flushing the remaining neighborhood streets that do not have curbs and gutters. Contract sweeping the remaining 34-mile curb and gutter section would cost \$2,600/cycle. Four sweeping cycles are required to maintain the current level of service.

Recommendation: To reject all street sweeper bids and contract with Sweeping Corporation of America for a one year period.

Financial Analysis: Funds are available in the Street Division's Other Account # 100-62-53295 for these services.

Recommendation: Approval

Attachments: Bid Tabulations  
Sweeping Corporation of America offer

Contact Person

Name: Jeff Hackbart, P.E.  
Title: Director  
Department: Public Works

Phone: (502) 352-2091  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

6.8 Authorization to consider a Bid Award for the City Maintenance Facility Sanitary Sewer Project to Leak Eliminators, LLC (Public Works Department).

Purpose: The purpose of this item is to consider a bid award for the City Maintenance Facility Sanitary Sewer Project to Leak Eliminators, LLC.

Background: On 3/1/05, the city received four bids to construct a sanitary sewer system to serve the city maintenance lot. The project includes the following improvements: a Duplex Pump Station, with a spare pump, and 2,970 L.F. of 2" PVC force main. The bids ranged from a high of \$169,000 to a low of \$94,800, submitted by Leak Eliminators. The project eliminates a sanitary sewer holding tank that currently serves the complex.

Financial Analysis: Funds are available in the Capital Improvement Account (100-90-53295) to construct the \$94,800 sanitary sewer project.

Recommendation: Award the Sanitary Sewer Project to Leak Eliminators, LLC.

Attachments: Bid Tabulation Sheet

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

6.9 Authorization to consider requesting litter abatement funding (Public Works Department).

Purpose: The purpose of this item is to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet.

Background: The City of Frankfort is eligible to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet. This funding is available to City's and County's throughout the Commonwealth to support litter clean up on public roadways. This program is funded through House Bill 174 that was approved by the Kentucky Legislature a couple of years ago. HB 174 requires permitted solid waste landfills to collect an additional \$1.75/ton to pay for litter abatement programs and proper closures of abandon landfills. The funding level received is based upon public street miles within the City limits. As required by KRS 224.43-345, two litter cleanups will be conducted along city streets each year. The City agrees to provide a 25% match for all litter abatement funds received and to provide proof of this match to the Kentucky Natural Resources and Environmental Protection Cabinet upon request. The City also agrees to report information to the County by February 1 of each year regarding all litter abatement activities. In 2004, the city spent approximately \$51,600 in street sweeping and litter abatement activities.

Financial Analysis – Funds are available in the current Street Department operating budget for the 25% in-kind match for all litter abatement funds received. Based upon 115 city street miles, the City received \$14,585 in 2004 and a similar amount is expected for 2005.

Recommendation: Approval



Attachments: Litter Abatement Funding Form

Contact Person

Name:	Jeff Hackbart	Mark Barrette
Title:	Director	Franklin Co. Solid Waste Coordinator
Department:	Public Works	
Phone	(502) 875-8563	(502) 875-8751
E-mail	jhackbrt@fewpb.com	

- 6.10 Authorization to consider approval of lowest bid for demolition of 309 Murray Street and to execute the memorandum of agreement (Planning and Building Codes).

Purpose: To consider approval of the lowest bid for demolition of 309 Murray Street and to execute the memorandum of agreement.

Background: In accordance with the Property Maintenance Code, Section 110.1, the City ordered the property owner to either repair or raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

A notice of condemnation was sent to the owner at the last known address, which was the address of the vacant structure, on December 20, 2004. Sometime in January the certified letter of condemnation was returned to our office marked "Undeliverable as addressed."

On January 18, 2005, the notice of condemnation was posted on the structure at the front entry of the property. This notice gave the owner 30 days to raze or repair the structure. As of date, the owner has contacted our department to confirm acceptance of the City of Frankfort to raze the structure and place a lien on the property is not paid.

Staff also met on site with the Chairman of the Architectural Review Board to discuss the proposed demolition, since this is in the Special Capital Zoning District. The Chairman agreed with the order of demolition.

Quotes were requested from three vendors, two responded. John Feshal was the lowest bidder at \$5,800.00. CC Moore was at \$20,490.00.

Financial Analysis: The Planning and Building Codes Department has budgeted \$16,400.00 (Account No. 100-70-53295) for demolitions and nuisance abatement. As of date we have approximately 14,000.00 remaining. Upon approval of this bid and memorandum of agreement, the remaining budgeted amount for demolitions will be \$8,200.00.

Attachments: Bids received  
Recent photo of property  
Draft memorandum of agreement.

Recommendation: Approval of the lowest bid from John Feshal and to execute the Memorandum of Agreement.

Contact Person:

Name:	Gary Muller
Title:	Planning Director
Department:	Planning and Building Codes
Phone:	505/875-8513
E-Mail	<a href="mailto:gmuller@fewpb.com">gmuller@fewpb.com</a>

- 6.11 Authorization to consider approval of lowest bid for demolition of 306 Murrell Avenue and to execute the Memorandum of Agreement (Planning and Building Codes).

Purpose: To consider approval of the lowest bid for demolition of 306 Murrell Avenue and to execute the Memorandum of Agreement.

Background: In accordance with the Property Maintenance Code, Section 110.1, the City ordered the property owner to either repair or raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

A notice of condemnation was sent to the owner at the last known address, which was the address of the vacant structure, on December 20, 2004. Sometime in January the certified letter of condemnation was returned to our office marked "Undeliverable as addressed."

On February 28, 2005, the notice of condemnation was posted on the structure at the front entry of the property. This notice gave the owner 30 days to raze or repair the structure. As of date, the owner has contacted our department to confirm acceptance of the City of Frankfort to raze the structure and place a lien on the property is not paid.

Quotes were requested from three vendors, one responded, John Feshal at \$9,000.00.

Financial Impact: The Planning and Building Codes Department has budgeted \$16,400.00 for demolitions and nuisance abatement (Account No. 100-70-53295). After the demolition on Murray Street we have approximately 8,200.00 remaining. Upon approval of this bid and memorandum of agreement, the remaining budgeted amount for demolitions will be \$800.00. Therefore, \$800.00 will need to be allocated from Council Contingencies to complete this request.

Recommendation: Approval

Attachments: Bids received  
Recent photo of property  
Draft memorandum of agreement  
Letter from owner granting approval of demolition

Contact Person:

Name: Gary Muller  
Title: Planning Director  
Department: Planning and Building Codes  
Phone: 505/875-8513  
E-Mail: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

- 6.12 Authorization to consider approving Change Order Number 1, Leak Eliminators, LLC, to complete the repairs to and separation of the combined sewer in Buffalo Alley (Sewer Department).

Purpose: The purpose of this item is to approve Change Order Number 1 in the amount of \$21,516 to Leak Eliminators for additional work associated with repairs to and separation of the combined sewers in Buffalo Alley.

Background: In early October a television inspection of a combined sewer line was undertaken as a result of a visit and field inspection by the KY Division of Water and the US EPA. During that field inspection a dry weather overflow was discovered at the Buffalo Alley outfall. The television inspection identified a collapsed sewer line in Buffalo Alley that was allowing sewage to percolate through the ground to an abandoned storm water line that ultimately served as the outfall for our

combined sewer overflow. Based upon the results of the inspection, the Sewer Department determined that the appropriate means of correction of the problem was separation of the storm and sanitary sewers and the elimination of the combined sewer overflow.

On October 25 the Sewer Department began evaluating the existing building connections and existing utilities, and performed a geotechnical evaluation of the foundation of the adjacent church. On November 1, 2004 upon completion of the evaluation, Buffalo Alley was closed to traffic to allow the Sewer Department to repair the collapsed pipe and begin the separation project. Since that date, with the exception of the week of Thanksgiving, the alley was closed for construction.

Following an inspection of the work on December 8 it was obvious that the Department would not complete the repair in a reasonable time frame unless we attacked the project from a different approach. It was determined that utilizing pipe-bursting to finish the project would have the greatest likelihood of meeting the construction deadline to have the project completed within a week. This determination is based upon the ability of the replacing the pipe in place without the need to perform a major excavation, thereby eliminating the need to work around other utilities. The Department contacted a local pipe-bursting contractor (Leak Eliminators) to determine their availability to mobilize, begin work and complete the project. They were able to be on site the next day at 9:30 AM to begin the project. On December 20 the Commission approved an \$18,000 contract with Leak Eliminators to perform the work.

Once the contractor was on site and began to excavate the remaining gravity sewer, it was determined that due to the elevation of the lateral coming out of the church and a conflict with an existing water line, that the entire run of pipe had to be lowered. Because of this, it was necessary to abandon pipe bursting and relay the pipe all the way to Buffalo Alley Pump Station using conventional trenching. As a result of having to utilize conventional trenching, the cost of the project increased. This necessitated the installation of 2 separate sewer lines by conventional excavation, the main line and the building lateral. Due to the closeness of the existing retaining wall, it was necessary to use a hydro-excavator to minimize impact on the retaining wall and care had to be taken during shoring to insure that the retaining wall was not damaged. Additionally, because we had to construct the remainder of the project with open cut, we had the existing utilities to deal with, specifically the 12" high pressure water line that ran down the middle of the alley. Because we had to lower the sewer lines, we also had to reconstruct 3 different manholes to meet the required grades. Finally, because of the necessity of opening the alley prior to Christmas, the contract worked substantial overtime that would not have been required with pipe bursting.

Financial Analysis: Funding is available from Sewer Account 300.68.56550

Recommendation: Approval

Attachments: Contractor's Daily Logs

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.13 Authorization to consider awarding bid to Mark's Guns for purchase of police handguns (Police Department).

Purpose: The purpose of this item is to award the bid to Mark's Guns for police duty and off duty weapons.

Background: The weapons in use by the Department were purchased in 1992. Invitation to bid was published for purchase of 75 Glock Model 22 and 75 Glock Model 27, with the stipulation of accepting trade-ins of the Smith & Wesson handguns currently in use. Three vendors responded, with Mark's Guns being the lowest bidder at \$409 each, totaling \$61,350 for purchase of weapons and a trade-in of \$43,340, making total price of \$18,010.

Financial Analysis: Funds are available in Police Department account 100.43.56550.

Recommendation: Approval

Attachment: Three bids

Contact Person

Name: Walter M. Wilhoite  
Title: Chief of Police  
Department: Police  
Phone: (502) 875-8523  
Email: mwilhoite@fewpb.com

- 6.14 To consider an amendment to the Engineering Services Agreement with Quest Engineers to provide Professional Engineering Services associated with Sanitary Sewer System Evaluations (Sewer Department).

Purpose: The purpose of this item is to consider an increase in the contract amount of the Engineering Services Agreement with Quest Engineers to perform cleaning and video camera inspection of approximately 60,000 lineal feet of sewer pipe in Basin 3.

Background: On 03/23/00 the City of Frankfort entered into a Continuing Services Agreement with Quest Engineers to provide consulting engineering services associated with the evaluation of the sanitary sewers and wet weather SSOs.

The Department has completed the sanitary sewer evaluation of Sanitary Sewer Basins 1 and 2 and smoke testing and night flow isolation in Basin 3. The Department needs to complete the video camera inspections in Basin 3. These evaluations are part of the Sanitary Sewer Overflow Plan submitted to and approved by the Kentucky Division of Water.

This evaluation of the collection system will allow Quest Engineers to recommend to the Sewer Department system improvements that must be made to reduce the inflow/infiltration into the collection system. Basin 3 has five (5) documented sanitary sewer overflows (SSOs). With the completion of this work, evaluation of 3 of 7 sanitary sewer basins will be complete.

This proposal, in the amount of \$155,000 will complete all evaluation work in Basin 3. Upon completion of the video inspection, a Findings Report and Analysis for Basin 3 will be prepared by Quest and submitted to the Sewer Department. Quest's Contract is valid until September 30, 2006.

Financial Analysis: Funds are available in account 300.68.56550.

Recommendation: Approval

Attachments: None

Contact Person

Name: William R. Scalf, Jr., PE

Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.15 To consider authorization to waive payment of the Payment In Lieu of Taxes (PILOT) for the Frankfort Housing Authority for the year 2004 (Finance Department).

Purpose: To authorize waiver of the Frankfort Housing Authority's 2004 PILOT payment in the amount of \$21,160.

Background: The Frankfort Housing Authority has requested and received waiver of the annual PILOT payment for the past fifteen years. In 2004, the Department of Housing and Urban Development reduced funding to Housing Authorities to 97% of budget requests. Waiver of the PILOT would help offset this shortage for Frankfort.

City Solicitor Rob Moore has reviewed this request.

Financial Analysis: The City provided \$20,000 to the Frankfort Housing Authority in 2004. The PILOT would be in addition to that contribution.

Recommendation: Approval

Attachments: Letter from Housing Authority Executive Director Carol Anthony  
Letter from City Solicitor Rob Moore

Contact Person

Name:	James Rogers	Rob Moore
Title:	Finance Director	City Solicitor
Department:	Finance	
Phone:	875-8500	227-2271
Email:	<a href="mailto:jrogers@fewpb.com">jrogers@fewpb.com</a>	<a href="mailto:rmoore@hazelcox.com">rmoore@hazelcox.com</a>

- 6.16 To consider authorizing approval of a contract with Ronald W. Tierney, Member/Manager, Tierney Storage, LLC at 119 Fortune Drive in Franklin County, Kentucky which is in the Franklin County Business Park #3 to accept 3 new manholes, 467 feet of 8-inch SDR 35 pipe and serving 1 lot (Sewer Department).

Purpose: To consider approving a contract with Ronald W. Tierney, Member/Manager, Tierney Storage, LLC at 119 Fortune Drive in Franklin County, Kentucky which is in the Franklin County Business Park #3 to accept 3 new manholes, 467 feet of 8-inch SDR 35 pipe and serving 1 lot.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Ronald W. Tierney has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Financial Analysis: Not applicable

Recommendation: Approval

Attachments: Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

6.17 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Effective Department</u>	<u>Date</u>	<u>Other</u>
Appointment	Mart Noe Jr.	Sanitation	4/5/05	Maintenance Worker
	Joel K. Dunmire	Police	3/28/05	Patrol Officer Recruit
	Raymond Austin	Streets	3/29/05	Maintenance Worker
	Christopher E. Martin	Sewer	4/12/05	Pump Maintenance Assistant
Promotion	Ryan C. Fischer	Fire	3/29/05	Sergeant from Firefighter/EMT
	Justin Austin	Sanitation	3/29/05	Equipment Operator from Maintenance Worker
	Darrell A. Hearn	Streets	3/29/05	Equipment Operator I from From Maintenance Worker
Confirmation	Jason Combs	Fire	3/16/05	Firefighter
Retirement	Sgt. Jeffrey C. Quarles	Fire	2/28/05	Authorize payment of 26 hours Holiday time.
Resignation	John Ethington	Sanitation	2/8/05	Authorize payment of 60 hours Vacation time.
	Brian Satterwhite	Sewer	2/8/05	
	Andrew Stivers	Communications	3/12/05	Authorization payment of 188 Hours Vacation time.
Termination	Bryan Ruble	Public Works	2/22/05	Authorize payment of 4 hours Vacation time.

\* Conditional Offer of Employment

Mark A. Henson                      Firefighter Recruit/Fire Department

\*Contingent upon successful completion of physical exam.

Attachments:

Retirement Letter:

- Jeffrey C. Quarles

Resignation Letters:

- John Ethington
- Brian Satterwhite
- Andrew Stivers

**7. BOARD APPOINTMENTS**

7.1 Code Enforcement Board

- David Garnett – reappointment – 3-year term, expiring 3-22-08
- Rona L. Stapleton – reappointment – 3-year term, expiring 3-22-08

Attachments: None

**8. OLD BUSINESS**

8.1 To consider authorizing the transfer the Paul Sawyer Library Property.

Purpose: To transfer ownership of the Paul Sawyer Library Property

Background: On February 6, 2003, the Board of Commissioners voted to offer to purchase the existing Paul Sawyer Library Property contingent upon the Library Board purchasing from the City of Frankfort the western portion of the existing Municipal Parking Lot, fronting 210 feet on Wapping Street and extending a distance back of 190 feet. On March 17, 2003, the Board of Commissioners directed that the Mayor execute a Memorandum of Agreement of preliminary points of agreement attendant to the proposed Paul Sawyer Library/Wapping Street (City) Parking Lot exchange with the Paul Sawyer Library Board. Those conditions set out in the MOA have been met and the transfer of land pending.

Financial Analysis: The City authorized a purchase price of \$730,000 for the existing Paul Sawyer Library property, and contingent upon the Library Board purchase of the Municipal Parking Lot for a price of \$4.825 per square foot. Funds for the price difference in the amount of \$380,000 have been budgeted in Capital Improvements Account number 90-352.95. Paul Sawyer Library has proposed to accept a promissory note from the City for the \$380,000 due. Additionally, the Paul Sawyer Library would lease the current library building and property from the City for the amount of interest due on the \$380,000 promissory note

Recommendation: Approval

Attachments: Deed conveying library property to the City of Frankfort  
Deed conveying the parking lot to the Paul Sawyer Public Library  
Lease Agreement

Contact Person:

Name: Rob Moore  
Title: City Solicitor  
Phone: 227-2271  
Email: [rmoores@hazelcox.com](mailto:rmoores@hazelcox.com)

8.2 Presentation by Keith Reeves, President, ADG, Inc. concerning construction management issues.

**9. NEW BUSINESS**

9.1 Authorization to consider entering into a Recycling Agreement with the Lexington - Fayette Urban County Government (LFUCG) - (Public Works)

Purpose: To consider entering into a recycling agreement with the LFUCG to process and market recycling material.

Background: The LFUCG implemented a single stream recycling process that has increased participation and reduced collection costs. Frankfort has been involved in a single stream pilot program with Lexington since September 2004. The single stream program allows City crews to collect co-mingled material curbside and then transport the material to Lexington's facility for processing and marketing. The city currently collects 1,000 tons of recycled material that produces yearly revenue of \$75,000. The agreement allows the City of Frankfort to participate in either a Single Stream or Single Stream + Glass recycling program.

Recommendation: Approval

Attachments: Draft Agreement  
Memorandum to Commission

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**